

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2073-01  
Bill No.: HB 851  
Subject: Attorneys; Attorney General, State  
Type: Original  
Date: April 23, 2013

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Bill Summary: This proposal establishes limits on contingency fees private attorneys may receive when entering into contingency fee contracts with the state.

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON GENERAL REVENUE FUND</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on General Revenue Fund</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON OTHER STATE FUNDS</b>			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on <u>Other</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
This fiscal note contains 6 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Total Estimated Net Effect on FTE</b>	<b>0</b>	<b>0</b>	<b>0</b>

☐ Estimated Total Net Effect on All funds expected to exceed \$100,000 savings or (cost).

☐ Estimated Net Effect on General Revenue Fund expected to exceed \$100,000 (cost).

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2014	FY 2015	FY 2016
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

## FISCAL ANALYSIS

### ASSUMPTION

The officials from the **Attorney General's Office** assume any potential cost arising from this proposal can be absorbed with existing resources.

Officials from the **Department of Agriculture, Administrative Hearing Commission, Office of Administration - Budget and Planning, Office of Administration, Office of the State Courts Administrator, Department of Economic Development, Department of Elementary and Secondary Education, Department of Transportation, Department of Insurance, Financial Institutions and Professional Registration, Department of Mental Health, Department of Corrections, Department of Health and Senior Services, Department of Labor and Industrial Relations, Department of Higher Education, Department of Social Services, Department of Public Safety (Capitol Police & Division of Alcohol and Tobacco), Missouri Gaming Commission, Office of the Governor, Missouri Consolidated Health Care Plan, MoDOT & Patrol Employees' Retirement System, Joint Committee on Administrative Rules, Joint Committee on Public Retirement, Missouri Lottery Commission, Missouri Department of Conservation, Missouri Ethics Commission, Missouri Highway Patrol, Office of Prosecution Services, Office of the State Auditor, Missouri Senate, Office of the State Public Defender, Office of the State Treasurer, State Tax Commission** and the **Missouri Veterans Commission** assume the proposal will have no fiscal impact on their respective organizations.

Officials from the **Office of the Secretary of State (SOS)** assume many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The SOS is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to the Secretary of State's Office for Administrative Rules is less than \$2,500. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, we also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what our office can sustain with our core budget. Therefore, we reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

**Oversight** assumes the SOS could absorb the costs of printing and distributing regulations related to this proposal. If multiple bills pass which require the printing and distribution of regulations at substantial costs, the SOS could request funding through the appropriation process.

ASSUMPTION (continued)

Officials from the **Department of Natural Resources (DNR)** state the Office of the Missouri Attorney General directs all litigation to which the state, any agency or official is a party and represents the state's legal position at every level of trial and appellate courts. It is impossible to know the number of situations where the Office of the Attorney General would advise the department to retain outside counsel; therefore, the fiscal impact to the department from this proposal is unknown.

**Oversight** assumes DNR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DNR could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DNR could request funding through the appropriation process.

Officials from the **Department of Revenue (DOR)** state the fiscal impact to the department from this proposal is unknown.

**Oversight** assumes DOR is provided with core funding to handle a certain amount of activity each year. Oversight assumes DOR could absorb the costs related to this proposal. If multiple bills pass which require additional staffing and duties at substantial costs, DOR could request funding through the appropriation process.

<u>FISCAL IMPACT - State Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2014 (10 Mo.)	FY 2015	FY 2016
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

### FISCAL DESCRIPTION

The proposed legislation appears to have no direct fiscal impact.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

### SOURCES OF INFORMATION

Attorney General's Office  
Department of Agriculture  
Administrative Hearing Commission  
Office of Administration - Budget and Planning  
Office of Administration  
Office of the State Courts Administrator  
Department of Economic Development  
Department of Elementary and Secondary Education  
Department of Transportation  
Department of Insurance, Financial Institutions and Professional Registration  
Department of Mental Health  
Department of Natural Resources  
Department of Corrections  
Department of Health and Senior Services  
Department of Labor and Industrial Relations  
Department of Higher Education  
Department of Revenue  
Department of Social Services  
Department of Public Safety  
Missouri Gaming Commission  
Office of the Governor  
Missouri Consolidated Health Care Plan  
MoDOT & Patrol Employees' Retirement System  
Joint Committee on Administrative Rules  
Joint Committee on Public Retirement  
Missouri Lottery Commission  
Missouri Department of Conservation  
Missouri Ethics Commission  
Missouri Highway Patrol  
Office of Prosecution Services  
Office of the State Auditor

KC:LR:OD

SOURCES OF INFORMATION (continued)

Missouri Senate  
Office of the Secretary of State  
Office of the State Public Defender  
Office of the State Treasurer  
State Tax Commission  
Missouri Veterans Commission



Ross Strobe  
Acting Director  
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